

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Dantonio Tucker,

Plaintiff,

vs.

City of Spartanburg;
Spartanburg City Police Department;
Johnathan Lawson, all in their
individual and official capacities,

Defendants.

Civil Action No. 7:15-2116-BHH-KFM

REPORT OF MAGISTRATE JUDGE

This is a civil action filed by a *pro se* litigant. Under Local Civ. Rule 73.02(B)(2) (D.S.C.), pretrial proceedings in this action have been referred to the undersigned United States Magistrate Judge.

In an order (doc. 10) filed in this case on June 1, 2015, the undersigned granted the plaintiff's motion for leave to proceed *in forma pauperis* and directed the plaintiff to bring this case "into proper form" by a separate Form USM-285 for each defendant sued. On June 1, 2015, the Clerk's Office mailed to the plaintiff a copy of the order and three Forms USM-295. The deadline for the plaintiff to submit the needed documents was June 25, 2015. The plaintiff has not responded to the undersigned's order of June 1, 2015.

Accordingly, it is recommended that the district court dismiss the above-captioned case *without prejudice* and without issuance and service of process because the plaintiff has not responded to the order of June 1, 2015. See *In Re: Procedures in Civil Actions Filed by Non-Prisoner Pro Se Litigants*, Misc. No.

3:07-MC-5015-JFA (D.S.C. Sept. 18, 2007). The plaintiff's attention is directed to the important Notice on the next page.

July 6, 2015
Greenville, South Carolina

s/ Kevin F. McDonald
United States Magistrate Judge

Notice of Right to File Objections to Report and Recommendation

The plaintiff is advised that he may file specific written objections to this Report and Recommendation with the District Judge. **Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections.** “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

**Robin L. Blume, Clerk of Court
United States District Court
300 East Washington Street — Room 239
Greenville, South Carolina 29601**

Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).